UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re: STUDENT FINANCE CORPORATION,	Chapter 7 Case No. 02-11620 (DDS)
Debtor.	
CHARLES A. STANZIALE, JR., CHAPTER 7 TRUSTEE OF STUDENT FINANCE CORPORATION, Plaintiff,	Adversary Proceeding No. 04-58003 District Court Case No. 1:05-cv-00072-JJF
v. McGLADREY & PULLEN, LLP, and MICHAEL AQUINO,	
Defendants.	

DEFENDANTS' MOTION TO DISMISS PURSUANT TO FED. R. BANKR. P. 7012 AND FED. R. CIV. P. 12(b)

McGladrey & Pullen, LLP and Michael Aquino (collectively, "McGladrey"), by and through their attorneys, respectfully move to dismiss the Complaint filed in this adversary proceeding pursuant to Rule 12(b) of the Federal Rules of Civil Procedure and Rule 7012 of the Federal Rules of Bankruptcy Procedure. In support of the Motion, McGladrey submits an accompanying Memorandum of Law and Appendix, which are incorporated by reference.

McGladrey has filed an uncontested motion to withdraw the reference of this case from the Bankruptcy Court. McGladrey is filing this motion in the Bankruptcy Court because, while the Bankruptcy Court has granted the motion, the District Court has not yet acted on it.

WHEREFORE, McGladrey respectfully requests that this Court enter an Order dismissing the adversary Complaint with prejudice.

Dated: March 1, 2005

Wilmington, Delaware

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